REMARKS

The Office Action dated May 28, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 2, 13, 21-22, and 25 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claim 18 was previously cancelled. No new matter has been added and no new issues are raised which require further consideration or search. Therefore, claims 1-17 and 19-39 are currently pending in the application and are respectfully submitted for consideration.

The Office Action rejected claims 1-39 under 35 U.S.C. § 102(e) as allegedly anticipated by Chaney et al. (U.S. Patent No. 6,947,724) ("Chaney"). The rejection is respectfully traversed for at least the following reasons.

Claim 1, upon which claims 2-11 are dependent, recites a method, which includes receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in a device serving the second user, and forwarding the received service request from the device to an application server to process the service request. The method further includes receiving, in the device, a processing result of the processed service request from the application server, and first determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped.

Claim 12, upon which claims 13-17 are dependent, recites a method, which includes receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in an application server from a device serving the second user. The method further includes processing the service in the application server. The method further includes returning a processing result of the processed service request to the device, based on the processing result the device being configured to determine whether a service request processing of the service request in the device is to be stopped.

Claim 19 recites an apparatus, which includes means for receiving a service request according to a session initiation protocol initiated by a first user, and terminated at a second user, the apparatus serving the second user, and means for forwarding the received service request to an application server for processing the service request. The apparatus further includes means for receiving a processing result of the processed service request from the application server, and means for determining, based on the received processing result, whether a service request processing of the service request in the apparatus is to be stopped.

Claim 20 recites an apparatus, which includes means for receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, from a device serving the second user. The apparatus further includes means for processing the service request. The apparatus further includes means for returning a processing result of the processed service request to the device, based on the

processing result the device being configured to determine whether a service request processing of the service request in the device is to be stopped.

Claim 21 recites a computer program product for use in an IP multimedia core network. The computer program product includes a computer usable medium having computer readable program code embodied in the medium. The computer readable program code includes a first computer readable program code configured to cause a computer to receive a service request according to a session initiation protocol, initiated by a first user and terminated at a second user in a device serving the second user, and a second computer readable program code configured to cause the computer to forward the received service request from the device to an application server to process the service request. The computer readable program code further includes a third computer readable program code configured to cause the computer to receive a processing result of the processed service request from the application server in the device, and a fourth computer readable program code configured to cause the computer to determine in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped.

Claim 22 recites a computer program product for use in an IP multimedia core network. The computer program product includes a computer usable medium having computer readable program code embodied in the medium. The computer readable program code includes a first computer readable program code configured to cause a computer to receive a service request according to a session initiation protocol initiated

by a first user and terminated at a second user, from a device serving the second user. The computer readable program code further includes a second computer readable program code configured to cause the computer to process the service request. The computer readable program code further includes a third computer readable program code configured to cause the computer to return a processing result of the processed service request to the device, based on the processing result the device being configured to determine whether a service request processing of the service request in the device is to be stopped.

Claim 23, upon which claims 25-39 are dependent, recites an apparatus, which includes a first receiver configured to receive a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, the apparatus serving the second user, and a forwarder configured to forward the received service request to an application server configured to process the service request. The apparatus further includes a second receiver configured to receive a processing result of the processed service request from the application server, and a determiner configured to determine, based on the received processing result, whether a service request processing of the service request in the apparatus is to be stopped.

Claim 24 recites an apparatus, which includes a receiver configured to receive a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, from a device serving the second user. The apparatus further includes a processor configured to process the service request. The apparatus further

includes a returner configured to return a processing result of the processed service request to the device, based on the processing result the device being configured to determine whether a service request processing of the service request in the apparatus is to be stopped.

As will be discussed below, Chaney fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above.

Chaney generally discloses a system and method in a telecommunications network for billing a call placed by a user based on reported traffic load in the network. The system includes at least one Media Gateway Control Function (MGCF) that sends a reported traffic load for the MGCF in a registration message to a presence and instant messaging (PIM) Server. Users that subscribe to a load-based billing service also register with the PIM Server. The PIM Server sends the reported traffic load to the users whenever the traffic load is updated by the MGCF, and to a billing node when the user places the call. A Call State Control Function (CSCF) sends the duration of the call to the billing node. The billing node determines a billing rate based on the reported traffic load and calculates a charge for the call based on the determined billing rate and the duration of the call. (see Chaney at Abstract).

Applicants respectfully submit that Chaney fails to disclose, teach, or suggest, all of the elements of the present claims. For example, Chaney fails to disclose, teach, or suggest, at least, *"receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in a device serving the second*

user," "forwarding the received service request from the device to an application server to process the service request," and *"first determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped,"* as recited in independent claim 1, and similarly recited in independent claims 19, 21, and 23; and *"receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in an application server from a device serving the second user," "processing the service in the application server,"* and *"returning a processing result of the processed service request to the device, based on the processing result the device being configured to determine whether a service request processing of the service request in the device is to be stopped,"* as recited in independent claim 12, and similarly recited in independent claims 20, 22, and 24.

Figure 1 of Chaney depicts a block diagram of a portion of a 3GPP network architecture. Figure 2 is a signaling diagram illustrating typical call setup signaling utilizing SIP signaling in the 3GPP network architecture of Figure 1. Figures 1 and 2 of Chaney, and the corresponding description, relate to the user SIP REGISTER and SIP INVITE procedures which are originated by Terminal A (TER-A) 11, as the originating terminal. Terminal B (TER-B) 12 acknowledges the SIP INVITE request from TER-A 11, as the terminating terminal. (see Chaney at col. 3, line 55 – col. 6, line 8; Figures 1 and 2).

Chaney further discloses that when TER-A 11 originates a call, TER-A 11 sends a REGISTER message to the originating P-CSCF 13. The P-CSCF sends the REGISTER message to the originating I-CSCF. The originating I-CSCF 15 queries an originating Home Subscriber Server (HSS) 16 associated with TER-A 11 for user information. The HSS 16 is the master database for a given user and is the network entity containing the subscription-related information to support the network entities actually handling the call. The HSS 16 determines and locates the originating user's S-CSCF 17. The originating S-CSCF 17 includes a Presence and Instant Messaging (PIM) server. The originating S-CSCF 17 queries the originating HSS 16 for the originating user's profile information to determine what telephony features the originating user has subscribed to or activated, such as call blocking, call forwarding, and the like. (see Chaney at col. 4, lines 3-18, lines 31-62). Likewise, similar steps are performed on the terminating user's side (i.e. the side including TER-B 12, P-CSCF-26, S-CSCF 24, I-CSCF-22, and HSS 23). (see Chaney at col. 4, line 63 – col. 5, line 19).

Subsequently, TER-A 11 initiates a call setup to TER-B 12 by sending a SIP INVITE message to the originating P-CSCF 13. The INVITE message is forwarded to the originating I-CSCF 15, and then subsequently forwarded to the originating S-CSCF 17. The originating S-CSCF 17 then transmits the SIP INVITE message to the terminating I-CSCF-22. The INVITE message is then forwarded to the terminating S-CSCF 24. The INVITE message is then forwarded to the terminating P-CSCF 26, which then forwards the INVITE message to the TER-B 12. (see Chaney at col. 5, lines 30-42).

TER-B 12 then responds with a SIP 200 OK message, which is forwarded, in a reverse order of the network entities identified above, back to TER-A 11. TER-A sends an Acknowledgment message, back through the original order of network entities, to TER-B 12. (see Chaney at col. 5, lines 43-65).

Figure 3 of Chaney depicts a flow chart illustrating the steps of a method of calculating a charge for a call in a telecommunications network. At step 71, a user, such as the user associated with TER-A 11 of Figure 2, originates a call. At step 72, it is determined whether or not the user is entitled to a special billing rate. If the profile indicates that the user is entitled to a special billing rate, the process moves to step 73 where the special billing rate is applied to the call. If the user is not entitled to a special billing rate, the process moves to step 74 where it is determined if the call originated on a weekday. If the call did not originate on a weekday, the process moves to step 75 where a weekend billing rate is applied to the call. If the call did originate on a weekday, the process moves to step 76 where it is determined whether or not the call originated during a peak time period. If the call did not originate during the peak time period, the process moves to step 77 where an off-peak billing rate is applied to the call. If the call did originate during the peak time period, the process moves to step 78 where the peak billing rate is applied to the call. (see Chaney at col. 6, lines 9-34).

The Office Action took the position that Chaney discloses "*receiving a service request according to a session initiation protocol, initiated by a first user and terminated at a second user, in a device serving the second user*," as recited in independent claim 1,

and similarly recited in independent claims 12 and 19-24. Specifically, the Office Action alleged that TER-B 12 discloses the *"first user"*, that TER-A 11 discloses the *"second user,"* and that S-CSCF 15 discloses the *"device serving the second user."* (see e.g. Office Action at section 2, pages 2-3). Applicants respectfully submit that the Office Action's position is erroneous. Independent claim 1 clearly recites that the service request is initiated <u>by a first user</u> and terminated <u>at a second user.</u> The other independent claims clearly recite similar limitations. However, TER-B 12 does not send a service request to TER-A 11. Instead, as discussed above, TER-B 12 sends a response (specifically a SIP 200 OK message) to TER-A 11. The passage of Chaney cited by the Office Action fails to disclose, or suggest, TER-B 12 initiating a service request and sending it to TER-A 11. (see Chaney at col. 5, lines 30-65).

The Office Action further took the position that Chaney discloses *"forwarding the received service request from the device to an application server to process the service request,"* as recited in independent claim 1, and similarly recited in independent claims 12 and 19-24. Specifically, the Office Action took the position that the HSS 16 discloses the *"application server."* Applicants respectfully submit that the Office Action's position is erroneous. As discussed above, the HSS 16 is a database containing subscription-related information of a particular user. Thus, the HSS 16 is not an *"application server,"* as recited in the independent claims. Furthermore, as discussed above, the I-CSCF 15 queries the HSS 16 associated with the originating subscriber for an address of the originating user's current S-CSCF 17. If TER-A has no S-CSCF, the HSS 16 returns

selection criteria to the I-CSCF 15, so that the I-CSCF 15 may select a suitable S-CSCF. Thus, the HSS 16 **does not process the service request**. Instead, the HSS 16 merely provides information to the I-CSCF 15 so that the I-CSCF 15 may send the service request to a suitable S-CSCF. Thus, the passage of Chaney cited by the Office Action fails to disclose, or suggest, the HSS 16 processing a service request.

Finally, the Office Action took the position that Chaney discloses "*first determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped,*" as recited in independent claim 1, and similarly recited in independent claims 12 and 19-24, citing column 5, lines 43-65 of Chaney. Applicants respectfully submit that the Office Action's position is erroneous. Nowhere in the cited passage of Chaney is there a discussion of determining whether a service request processing of the service request is to be stopped. As discussed above, the cited passage merely discloses that TER-B 12 responds to TER-A 11 with a SIP 200 OK message, which is forwarded to TER-A 11. TER-A sends an Acknowledgment message back to TER-B 12. (see Chaney at col. 5, lines 43-65). Thus, the passage of Chaney cited by the Office Action fails to disclose, or suggest, determining in the device, based on the received processing result, whether a service request processing of the service request in the device is to be stopped.

Therefore, for at least the reasons discussed above, Chaney fails to disclose, teach, or suggest, all of the elements of independent claims 1, 12, and 19-24. For the reasons stated above, Applicants respectfully request that this rejection be withdrawn.
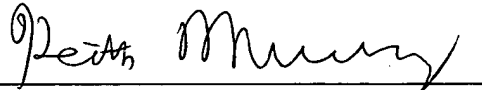
Claims 2-11 depend upon independent claim 1. Claims 13-17 depend upon independent claim 12. Claims 25-39 depend upon independent claim 23. Thus, Applicants respectfully submit that claims 2-11, 13-17, and 25-39 should be allowed for at least their dependence upon independent claims 1, 12, and 23, and for the specific elements recited therein.

For at least the reasons discussed above, Applicants respectfully submit that the cited prior art references fails to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1-17 and 19-39 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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